

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE

POWER INTEGRATIONS, INC., a
Delaware corporation,

Plaintiff,

v.

FAIRCHILD SEMICONDUCTOR
INTERNATIONAL, INC., a Delaware
corporation, and FAIRCHILD
SEMICONDUCTOR CORPORATION, a
Delaware corporation,

Defendants.

C.A. No. 04-1371 JJF

PUBLIC VERSION

**DECLARATION OF MICHAEL R. HEADLEY IN SUPPORT OF
POWER INTEGRATIONS' OPENING CLAIM CONSTRUCTION BRIEF**

I, Michael R. Headley, declare as follows:

1. I am an associate of Fish & Richardson P.C., counsel of record in this action for Plaintiff Power Integrations, Inc. ("Power Integrations"). I am a member of the Bar of the State of California and am admitted *pro hac vice* for the above-captioned action. I have personal knowledge of the matters stated in this declaration and would testify truthfully to them if called upon to do so.
2. Attached as Exhibit A is a copy of Power Integrations' U.S. Patent No. 6,107,851 ("the '851 patent").
3. Attached as Exhibit B is a copy of Power Integrations' U.S. Patent No. 6,229,366 B1 ("the '366 patent").
4. Attached as Exhibit C is a copy of Power Integrations' U.S. Patent No. 6,249,876 B1 ("the '876 patent").
5. Attached as Exhibit D is a copy of Power Integrations' U.S. Patent No. 4,811,075 ("the '075 patent").

6. Attached as Exhibit E is a copy of an August 1, 2005 letter from Howard Pollack to Fairchild counsel Bas de Blank, per the Court's scheduling orders, containing Power Integrations' identification of claim terms that appeared to be in need of construction.

7. Attached as Exhibit F is a copy of Fairchild's identification of claim terms that appeared to be in need of construction, served August 1, 2005 per the Court's scheduling orders.

8. Attached as Exhibit G is a copy of an August 22, 2005 letter and chart from Howard Pollack to Bas de Blank, per the Court's scheduling orders, containing Power Integrations' proposed constructions for claim terms that appeared to be in need of construction.

9. Attached as Exhibit H is a copy of an August 22, 2005 letter and chart from Bas de Blank to Howard Pollack, per the Court's scheduling orders, containing Fairchild's proposed constructions for claim terms that appeared to be in need of construction.

10. After the parties exchanged proposed constructions on August 22, 2005, they met and conferred on several occasions in September and October in an attempt to clarify the claim terms in dispute per the Court's scheduling orders.

11. On October 18, 2005, Fairchild served a chart containing revised claim construction contentions. Attached as Exhibit I is a copy of the October 18, 2005 letter from Bas de Blank to me attaching a chart with those revised contentions.

12. On December 9, 2005, Fairchild revised its claim construction contentions with respect to another four terms. Attached as Exhibit J is a copy of the December 9, 2005 letter and chart from Bas de Blank to me setting forth these new positions on claim construction.

13. On December 20, 2005 Fairchild again revised its claim construction contentions with respect to two additional terms. Attached as Exhibit K is a copy of the

December 20, 2005 letter and chart (incorrectly dated December 19, 2005) from Bas de Blank to me setting forth these new positions on claim construction.

14. Attached as Exhibit L are copies of excerpts from Webster's Ninth New Collegiate Dictionary (1987).

15. Attached as Exhibit M is a copy of the Expert Report of Mike Shields on Infringement (exhibits omitted).

16. Attached as Exhibit N is a copy of Fairchild's May 6, 2005 opinion letter regarding the '075 patent, produced at FCS1413642 to FCS1413745.

17. Attached as Exhibit O is a copy of U.S. Patent No. 4,626,879 ("the Colak '879 patent" or simply "Colak").

18. Attached as Exhibit P are excerpts from The IEEE Standard Dictionary of Electrical and Electronics Terms (4th ed. 1988).

19. Attached as Exhibit Q is a copy of Fairchild's Supplemental Responses to Interrogatory Nos. 1-3, 6, 8-13, served July 1, 2005 (incorrectly dated June 30, 2005), and Exhibits A and C attached thereto. For purposes of brevity, I have not attached Exhibit B, as it is more than 100 pages long and not relevant to the issues at hand.

20. Attached as Exhibit R are excerpts of the file history for the '075 patent, specifically the Aug. 12, 1988 Amendment After Final addressing the Colak '879 patent.

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.

Executed this 28th day of December, 2005, at Washington, D.C.

/s/ Michael R. Headley
Michael R. Headley

CERTIFICATE OF SERVICE

I hereby certify that on January 5, I electronically filed with the Clerk of Court the REDACTED DECLARATION OF MICHAEL R. HEADLEY IN SUPPORT OF POWER INTEGRATIONS' OPENING CLAIM CONSTRUCTION BRIEF using CM/ECF which will send notification of such filing(s) to the following:

Steven J. Balick, Esq.
John G. Day, Esquire
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Wilmington, DE 19899

Attorneys for Defendant-
Counterclaimant
FAIRCHILD SEMICONDUCTOR
INTERNATIONAL, INC. and
FAIRCHILD SEMICONDUCTOR
CORPORATION

I hereby certify that on January 5, 2006, I have mailed by United States Postal Service, the document(s) to the following non-registered participants:

G. Hopkins Guy, III
Bas de Blank
Duo Chen
Orrick, Herrington & Sutcliffe, LLP
1000 Marsh Road
Menlo Park, CA 94025

Attorneys for Defendants
FAIRCHILD SEMICONDUCTOR
INTERNATIONAL, INC. and
FAIRCHILD SEMICONDUCTOR
CORPORATION

/s/ William J. Marsden, Jr.
William J. Marsden, Jr.